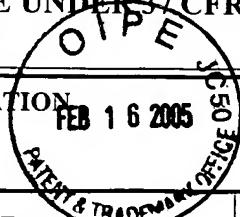


PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)  
(Small Entity)

Docket No.  
X0111A

In Re Application Of: XYBERNAUT CORPORATION



Application No. 10/004,064	Filing Date 11/14/01	Examiner MAI, TAN V	Customer No.	Group Art Unit 2124	Confirmation No.
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Invention: COMPUTER WITH AUDIO INTERRUPT SYSTEM

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 1/13/05 in the above-identified application.

*Date*

The requested extension is as follows (check time period desired):

One month       Two months       Three months       Four months       Five months

from: 2/13/05      *Date*      until: 3/14/05      *Date*

Applicant claims small entity status. See 37 CFR 1.27

The fee for the extension of time is \$60 and is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



*Signature*

Dated: FEBRUARY 16, 2005

JAMES J. RALABATE, REG. #19,211  
5792 MAIN STREET  
WILLIAMSVILLE, NY 14221  
(716) 634-2280

02/16/2005 08:00:00 AM 10304034

02/16/2005

08:00 AM

CC:

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

*(Date)*

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*